

**CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
SAN FRANCISCO BAY REGION**

ORDER NO. R2-2006-0038

**RESCISSION OF WASTE DISCHARGE REQUIREMENTS FOR THE
DISCHARGER CITED HEREIN**

The California Regional Water Quality Control Board, San Francisco Bay Region (hereinafter the Regional Water Board) finds that:

1. The following Discharger has previously been issued National Pollutant Discharge Elimination System (NPDES) Permits in the orders listed below:

<u>DISCHARGER</u>	<u>NPDES PERMIT NO.</u>	<u>ORDER NO.</u>
Hanson Aggregates Mid-Pacific Inc.		
San Francisco Sand Yard	CA0030139	98-062
Oakland Yard	CA0030147	98-118

2. The San Francisco Sand Yard is located at 3301 Third Street in San Francisco immediately adjacent to Islais Creek Channel. The Oakland Yard is located at 4501 Tidewater Avenue in Oakland. Hanson Aggregates Mid-Pacific Inc. (hereinafter Discharger) collects sand from San Francisco Bay and transports it to these facilities by barge for washing.
3. The wash water produced by the Discharger's operation in the San Francisco Sand Yard is collected in a sedimentation basin to remove solids and particulates before discharging the wash water into Islais Creek Channel. The wash water produced at the Oakland Yard is also collected in sedimentation basins prior to discharge to Oakland Inner Harbor Channel.
4. On July 15, 1998, the Regional Water Board adopted NPDES Permit No. CA0030139, Order No. 98-062 for Tidewater Sand and Gravel Company, San Francisco Yard. On December 16, 1998, the Regional Water Board adopted NPDES Permit No. CA0030147, Order No. 98-118 for Tidewater's Oakland Yard.
5. On July 2, 1999, the Discharger purchased Tidewater Sand and Gravel Company, and on March 31, 2000, the Discharger and Tidewater merged. With the merger, the two permits transferred to the Discharger.

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6. Both permits expired on July 15, 2003, and both were administratively extended.
7. On June 19, 2002, the Regional Water Board adopted Regional General NPDES Permit CAG982001, Order No. R2-2002-0063 (General Permit), for Aggregate Mining and Sand Washing Facilities to Surface Waters, with discharge limitations based on technology limits specified in the Water Quality Control Plan for the San Francisco Bay Basin. Currently, six facilities are covered by this General Permit and comply with its requirements.
8. The Discharger's sand washing operations at both its San Francisco and Oakland Yards qualify for coverage under the General Permit.
9. The Discharger has not applied for coverage under the General Permit due to concerns about compliance with the General Permit's limits for total suspended solids (TSS), settleable matter (SM), and turbidity. The Discharger's individual permits specify a less stringent limit for SM of 1 mg/l-hr as a monthly average, as compared to 0.1 ml/l-hr (monthly average) and 0.2 ml/l-hr (daily maximum) in the General Permit. The TSS limits are the same in both the individual and general permits. The Discharger's individual permits do not contain a turbidity limit, as compared to 40 NTU as a daily maximum limit in the General Permit.
10. On the issue of TSS, the Discharger has provided evidence to show that the analytical method for TSS is not reliable for saline samples, because salinity interferes with the results. Studies submitted to support this conclusion are titled "*Evaluation of the Accuracy and Reliability of EPA Test Method 160.2 to Measure Total Suspended Solids in Effluent from Marine Sand Processing Facilities, June 1, 2005,*" and two addendums dated June 16, 2005 and March 24, 2006, respectively. Based on this evidence, the Regional Water Board finds that it is appropriate to waive monitoring for compliance with the TSS limits in the General Permit for the Discharger's facilities, and other facilities that process sand from saline environments in this region.
11. On the issue of SM, the discharge data (2003 to 2005) from the two facilities show that the Discharger would have just a few exceedances of the daily maximum effluent limit of 0.2 ml/l-hr, and no exceedance of the monthly average limit of 0.1 ml/l-hr specified in the General Permit. These data show that the Oakland yard has better performance than the San Francisco Sand Yard, with greater than 99 percent of the samples in compliance with the 0.2 ml/l-hr limit as compared to 87 percent for the San Francisco Sand Yard. Though currently, the Discharger cannot fully comply with the General Permit's limit for SM, the Regional Water Board finds that compliance is feasible because both facilities do comply with the limit a large percentage of the time, and would meet the limit fully if the Discharger ensures proper operation and maintenance of its existing sedimentation ponds. Other aggregate operations under the General Permit meet the SM limits.

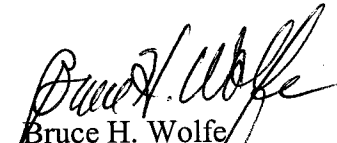
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12. The Discharger's turbidity effluent data show just two exceedances of the turbidity limit of 40 NTU, one at each facility, in the past three years (2003 to 2005). As with SM, the Regional Water Board believes it is feasible for the Discharger to achieve full compliance with the turbidity limit if the Discharger ensures proper operation and maintenance of its existing sedimentation ponds.
13. It is the Regional Water Board's intent to revisit and establish appropriate TSS requirements for marine sand washing facilities as part of the reissuance of the General Permit in 2007. The Regional Water Board may also revisit the SM and/or turbidity effluent limits, if the Discharger can demonstrate an alternate best available technology that is more appropriate for these and similar facilities.
14. Thus, it is feasible and appropriate for the Discharger's facilities to be covered under General Permit CAG982001. As such, the Discharger's individual permits are not necessary and Order Nos. 98-062 and 98-118 can be rescinded.

IT IS HEREBY ORDERED, pursuant to the provisions of Division 7 of the California Water Code, regulations, and plans and policies adopted thereunder, that:

1. The Discharger shall file Notices of Intent for coverage under General Permit CAG982001, 30 days prior to the rescission effective date.
2. Order Nos. 98-062 and 98-118 are rescinded effective September 1, 2006.

I, Bruce H. Wolfe, Executive Officer, do hereby certify the foregoing is a full, and true and correct copy of an Order adopted by the California Regional Board Quality Control Board, San Francisco Region on June 14, 2006.


Bruce H. Wolfe
Executive Officer